

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

|                                    |   |                                 |
|------------------------------------|---|---------------------------------|
| FRITZ DAIRY FARM, L.L.C., et al.,  | ) | Case No. 5:12-cv-01736-JRA      |
|                                    | ) |                                 |
| <i>Plaintiffs,</i>                 | ) | Judge John R. Adams             |
|                                    | ) |                                 |
| v.                                 | ) |                                 |
|                                    | ) |                                 |
| CHESAPEAKE EXPLORATION, L.L.C., et | ) | <b>STIPULATION OF DISMISSAL</b> |
| al.,                               | ) | <b>WITH PREJUDICE</b>           |
|                                    | ) |                                 |
| <i>Defendants.</i>                 | ) |                                 |

Pursuant to the parties' agreement, Plaintiffs Fritz Dairy Farm, L.L.C, Mark Fritz, and Michele Fritz, and Defendants Chesapeake Exploration, L.L.C., Richard Owen, and Kenyon Energy, L.L.C., being all the parties to this action, hereby stipulate and agree pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), that this action and all claims asserted by Plaintiffs against Defendants in this action are dismissed with prejudice to refiling. This Court shall retain jurisdiction to enforce the parties' settlement agreement, if necessary. Each party to bear its own costs.

Agreed to and respectfully submitted by:

/s/ Warner Mendenhall (by e-mail  
authorization given 9-25-2014)  
Warner Mendenhall (0070165)  
190 N. Union Street, Suite 201  
Akron, OH 44304  
(330) 535-9160 / Fax: (330) 762-9743

Alyssa M. Allen (0082715)  
P.O. Box 39631  
Solon, OH 44139  
(440) 477-5484

*Attorneys for Plaintiffs*

/s/ Timothy B. McGranor  
John K. Keller (0019957)  
Timothy B. McGranor (0072365)  
Vorys, Sater, Seymour and Pease LLP  
52 East Gay Street/P.O. Box 1008  
Columbus, OH 43216-1008  
(614) 464-6400 / Fax: (614) 719-4954  
E-mail: jkkeller@vorys.com  
tbmcgranor@vorys.com

*Attorneys for Defendants*